

**(1) Report of Conservators, Petition for Authority to Pay Attorneys' Fees and Costs
and (2) Withdrawal of Funds from Blocked Account (Prob. C. 1850, 2640 and 2642)**

Age: 36		<p>TED and NORMA MILLER, Parents and Co-Conservators of the Person and Estate without bond, are Petitioners.</p> <p>Background: Jocelyn received a settlement as a result of a motor vehicle accident while she was still a minor. Her parents (Petitioners) were previously appointed as guardians of her estate and were appointed conservators of her person and estate in 1994. The Conservatee also has a trust that owns the home where they reside, which was specially designed for the conservatee's needs. At that time, the Court waived accountings, but required budgets and reports. The 2012 Budget was filed on 1-20-12. The order approving the last report was signed on 7-27-11.</p> <p>Beginning POH: \$707,546.74 Ending POH: \$700,211.46 (\$637,179.55 in a blocked account, \$6,797.96 in an unblocked account, and a handicap equipped vehicle)</p> <p>Conservators: Waived</p> <p>Attorney: \$300.00 (budget and report)</p> <p>Costs: \$420.00 (filing fee, certified copies)</p> <p>Petitioners state:</p> <ul style="list-style-type: none"> Pursuant to Court Order 9-5-07, \$4,800/mo is withdrawn from the conservatee's blocked Merrill Lynch cash management account and deposited to the unblocked Merrill Lynch cash management account for monthly expenses. The annual budget filed 1-20-12 provides an itemized list that specifies the estimated expenses in 2012, which is based on 2011 expenses. Budget items include Home Health Aide (\$18,000.00), Health Insurance (\$1,900.00), Physical Therapy (\$1,900.00), house and vehicle expenses, CPA/attorney, misc., home upkeep and repair (utilities, pool, phone, taxes, etc.) 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 8-22-12:</u> Counsel is directed to submit a declaration regarding the household budget as well as any improvements made and paid by the Millers.</p>	
Cont. from 072512, 082212				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc

Reviewed on: 10-1-12

Updates:

Recommendation:

File 1A - Miller

1A

Withdrawal of Funds from Blocked Account

Age: 36		TED and NORMA MILLER , Parents and Co-Conservators, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		On 9-21-12 , Petitioners filed an Ex Parte Petition for Withdrawal of Funds from Blocked Account. The Court set the matter for hearing on 10-3-12.	
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioners request \$7,495.13 from the blocked conservatorship account for the purchase and installation of a 13 SEER 5-ton air conditioning unit at the residence owned by the Conservatee. Petitioners state the current balance of the account is \$637,179.55.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	A copy of a handwritten note attached to the petition states the coil on the unit cannot be repaired or replaced. New coils are larger and won't fit in current space. New units are shorter so the coil will fit. The leaking coil will cause the compressor to fail in the condensing (outside) unit. It is not compatible with a new heating unit and coil. Both units must be replaced. We have already replaced both units that heat and cool the bedrooms and the rest of the back of the house two years ago.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	A copy of an invoice attached to the petition indicates an estimate of \$7,500.00, and a copy of a letter dated 8-14-12 indicates the specific estimate for installation of the following items and labor/warranties:	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202	<ul style="list-style-type: none"> One 13 SEER 5-ton air conditioning GOODMAN condensing unit in the existing location of present ground mounted air conditioning unit. One 13 SEER 5-ton air conditioning indoor cooling coil with TXV in the exiting location of present cooling coil. One 80% up flow natural gas furnace in the existing location of present gas furnace. One additional 2-pole fused electrical disconnect. One electronic programmable setback or manual thermostat 	
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting	<p>Items not included in proposal:</p> <ul style="list-style-type: none"> Replacement of existing ceiling supply and return filter grill Fresno City/County Building Permits Fresno County required ductwork testing Any necessary ductwork repair/replacing which was found to be defected by required testing 	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc

Reviewed on: 10-1-12

Updates:

Recommendation:

File 1B - Miller

(1) Second Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 2620; 2623; 2942]

Age: 97 years	PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 7/1/10 – 6/30/12	Note: If the petition is granted, a status hearing will be set for the filing as follows:
Cont. from	Accounting - \$2,627,177.69	<ul style="list-style-type: none"> Friday, September 5, 2014 at 9:00 a.m. in Department 303, for the filing of the third account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$2,583,184.38	
<input checked="" type="checkbox"/> Verified	Ending POH - \$2,362,575.27 (\$230,482.36 is cash)	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Conservator - \$3,953.68 (25.43	
<input type="checkbox"/> Not.Cred.	Deputy hours @ \$96/hr and 19.90 Staff hours @ \$76/hr)	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail W/	Attorney - \$2,500.00 (per Local Rule)	
<input type="checkbox"/> Aff.Pub.		
<input checked="" type="checkbox"/> Sp.Ntc. W/	Bond fee - \$1,544.14 (o.k.)	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner prays for an Order:	
<input type="checkbox"/> Letters	1. Approving, allowing and settling the second account.	
<input type="checkbox"/> Duties/Supp	2. Authorizing the conservator and attorney fees and commissions	
<input type="checkbox"/> Objections	3. Payment of the bond fee	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202	Court Investigator Jennifer Young's Report filed on 9/14/12.	
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 9/28/12
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 2 - Ohanesian

Status Conference Re: Amended Fifth and Sixth Accounts; Seventh Accounting

			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 10-15-12</u></p>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on:</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3A - MacIsaac</p>

**Petition for Modification of Special Needs Trust and for Order Directing Distribution
of Trust Assets to Claimants**

			NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 10-15-12</u>
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on:
			Updates:
			Recommendation:
			File 3B - MacIsaac

(1) Petition for Final Distribution on Waiver of Accounting and (2) for Allowance of Fees [Prob. C. 11600; 10830]

DOD: 2-24-09		WALTER G. JONES , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Minute Order 9-12-12: The Court is advised that they are still waiting on Bank of America. As of 9-27-12, nothing further has been filed. Note: As sole heir pursuant to Decedent's will, Petitioner waived accounting; however, under Probate Code § 10954(c)(2), a creditor whose interest has not been satisfied may petition for account. The Bank of America Creditor's Claim was allowed, but is not paid. Examiner notes that Notice of Hearing was mailed to the creditor on 8-10-12. Nothing has been filed. <p style="text-align: center;">SEE PAGE 2</p>
		Accounting is waived.	
		I&A: \$ 240,000.00 (residence)	
		POH: \$ 1,500.00 (cash in attorney trust account)	
Cont. from 091212		Executor (Statutory): Waived	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney (Statutory): \$6,550.00	
<input checked="" type="checkbox"/>	Verified	Costs: \$435.00 (filing)	
<input checked="" type="checkbox"/>	Inventory	Petitioner states that except for the funds held in the attorney trust account, there are no remaining assets of the estate.	
<input checked="" type="checkbox"/>	PTC	Petitioner states he obtained a line of credit for about \$65,000.00 against the residence and took a draw against the line of credit for about \$65,000.00, less \$6,650.00 in loan processing and appraisal fees, a loan broker fee of \$6,000.00, a document preparation fee of \$750.00, and prepaid interest in the amount of \$13,750.00, resulting in a net distribution to Petitioner of about \$37,850.00. Except for \$3,062.00 used for residence maintenance expenses, Petitioner advises the Court that he used the remaining portion of the draw for his personal living expense, including a new business venture, against the advice of his counsel.	
<input checked="" type="checkbox"/>	Not.Cred.	Petitioner subsequently sold the real property, at which time all amounts owed on the property, including the line of credit, were paid. Petitioner received \$19,887.02 from the sale, and again, contrary to the advice of his counsel, used the proceeds to pay for his own medical expenses.	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states his only income is approx. \$880.00/month from Social Security, and prior to the sale, Petitioner had suffered a serious stroke. Petitioner apologizes to the Court and asks the Court's forgiveness for his lapse in judgment in using estate funds to pay his own expenses.	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Petitioner prays for an Order confirming and approving his acts and proceedings, ordering his personal liability to pay the creditor's claim and the balance of the attorney fees in accordance with the "Priority Assignment of Beneficial Interest in Estate of Dorothy Jones Ripperdan" and "Secondary Assignment," and distribution of property now now known or discovered to Petitioner.	

Declaration of Attorney Barrus filed 9-11-12 states the executor did not advise him that he was borrowing the money to fund a business. He advised his client that the funds could only be used for estate purposes and could not be distributed without court approval. The executor had no money to pay the operating expenses of the residence such as property taxes, utilities, repair and maintenance, and to pay creditors.

Mr. Barrus is informed by the law firm handling the estate of Dorothy Jones Ripperdan that the estate is not subject to probate; rather, a Petition to Determine Succession to Real Property. Copies of the Primary and Secondary Assignments of Beneficial Interest in the estate have been delivered to the firm handling the matter. In addition, the executor executed and filed an Assumption of Personal Liability for the balance of attorney fees and creditor's claim. The \$1,500 will be used to pay the filing fee and a portion of the attorney's statutory fee which are expenses of administration and have priority over payment of unsecured creditor's claims.

For an extended period, the executor did not respond to inquiries from his office. They had prepared a Petition for Final Distribution that was signed on 9-24-10; however, no provision had been made for payment of fees or creditor's claim. The attorney offered to take a note secured by a deed. Subsequently, the residence fell into foreclosure and it was anticipated that it would be lost. However, in August 2011, Mr. Barrus received word from Brian Gurule, a friend of the executor's, that there was a potential sale. Mr. Barrus advised Brian that there were estate expenses that would need to be paid from sale proceeds.

The sale closed on 9-9-11 without Attorney Barrus' knowledge. He had not had contact with the executor since 9-24-10, and was not contacted by the executor or the title company. On 12-15-11, he attempted to call the executor, but the phone number was no longer in service. He contacted Brian, who informed him of the sale. Brian then arranged with the executor to send \$1,500.00 immediately and was hopeful to make regular payments on the balance.

In July 2012, Mr. Barrus received a call from a local law firm to inform the executor that he is an heir of his great-aunt's estate that was subject to a Petition to Determine Succession to Real Property. Mr. Barrus attempted to contact the executor via the realtor who sold this real property, and was able to leave several voice messages. Mr. Barrus was aware that the executor had had a stroke, but did not know the nature of his incapacity. The office revised the Petition for Final Distribution and Mr. Barrus personally drove to the executor's new home for signatures. He advised him that he had violated his duties as executor and proposed that he assume personal liability for payment of the creditor's claim and fees, and also assign his interest in the estate. He agreed.

Contrary to the examiner's assertion, Mr. Barrus has done everything he could to ensure this matter timely closed. He did not control the executor or the sale of the residence. The delay was due, in part, to the sale of the residence, and in part because the executor failed to keep in contact with Mr. Barrus. In Mr. Barrus' opinion, the executor knew he had done something wrong and did not want to deal with it. The delay did, however, allow the residence to be sold instead of lost in foreclosure, and was, in that sense, in the best interest of the estate. The estate would not be ready for this hearing but for Mr. Barrus' efforts. As soon as the material facts were known, this petition was filed. Mr. Barrus did all he could in as timely a manner as possible given the circumstances.

SEE ADDITIONAL PAGE

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests that the Court approve his acts and proceedings as Executor including:
 - *borrowing against and encumbering the real property of the estate without Court authorization, which is a violation of Probate Code §9800,*
 - *using the funds received for purposes other than the purposes allowed by Probate Code §9800 (also a violation), including the majority for Petitioner's personal use ("a new business venture").*
 - *This constitutes an unauthorized preliminary distribution in violation of Probate Code §11621, which states that the Court may authorize preliminary distribution if it appears that it may be made without loss to creditors or injury to the estate.*
 - *Petitioner then sold the real property and used the remainder of the funds for personal use, which is further unauthorized preliminary distribution in violation of Probate Code §11621.*

Although Petitioner is the sole heir, his duty is first to the estate, including administration and payment of creditors. It appears that Petitioner's actions have resulted in an insolvent estate and an unpaid creditor.

The Court may require that any language approving these acts be stricken from the final order.

2. Petitioner requests to assume personal liability for payment of the creditor's claim and executed "Priority" and "Secondary Assignments of Beneficial Interest in Estate of Dorothy Jones Ripperdan," wherein he assigns his beneficial interest as an heir of his deceased great-aunt for payment of the balance of the attorney fees and Bank of America Creditor's Claim.

Petitioner explains that he was recently advised that he is an heir of this estate, which "may" be enough to pay the Creditor's Claim and the remainder of the statutory attorney fees, but that the principal asset of the estate is held by the California Controller's office and will "probably not be paid to him any time soon."

Attorney Barrus' declaration indicates that the estate is not being probated, but is subject to a Petition to Determine Succession.

The Court may require clarification and authority for assumption and/or reliance on assignment for payment of the creditor's claim.

**Petition for an Order Approving Extraordinary Commissions for the Public
Administrator [Prob. C. 7666]**

DOD: 7/14/2009		PUBLIC ADMINISTRATOR/ADMINISTRATOR of the Estate is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states he was appointed as Administrator of the estate under Probate Code 7660.	
Cont. from		In the course of the administration of the estate the Public Administrator's office has performed extraordinary services regarding the sale of the Decedent's real property. Pursuant to Local Rule 7.18(B)(1) the reasonable fee for such services is \$1,000.00.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	In addition, petitioner filed the First and Final Fiduciary tax return for this estate. The reasonable value of such services is \$248.00.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Therefore, Petitioner prays for an Order that:	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	The Court authorize payment to the Fresno County Public Administrator in the sum of \$1,248.00 as reasonable compensation for extraordinary services to the estate.	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input checked="" type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT Reviewed on: 9/28/12 Updates: Recommendation: File 5 - Crider	

(1) First and Final Report of Executor on Waiver of Accounting and Petition for Its Settlement and (2) Allowance of Commission to Executor, Fees to the Attorney and (3) Final Distribution

DOD: 06/14/2008		DOROTHY HARRIET , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Account waived	<ol style="list-style-type: none"> Order does not comply with Local Rule 7.6.1. Need new order. Pursuant to Local Rule 7.13, a petition requesting distribution on a waiver of accounting shall include the current status of all inventoried items. The petition must include a list of the property on hand for distribution as it exists at the time of the petition and not merely as shown on the inventory and appraisal, unless there has been no change. The Inventory & Appraisal lists 21 Shares of Goodrich Corporation however it is not reflected in the Assets on Hand for Distribution attached to the petition. Need the current status of the 21 shares of Goodrich Corporation.
<input type="checkbox"/>	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
✓	Letters	05/03/2012	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
✓	9202		
✓	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
✓	FTB Notice		
<p>I&A - \$229,119.48 POH - \$238,202.40</p> <p>Executor – Waives</p> <p>Attorney - \$7,582.39</p> <p>Costs - \$1392.18 (filing fees, publication, certified copies, court call, probate referee)</p> <p>Distribution, pursuant to decedent's Will, is to:</p> <p>Dorothy Harriet – 100% in real property and personal property.</p>			
			Reviewed by: KT / LV
			Reviewed on: 10/01/2012
			Updates:
			Recommendation:
			File 6 - Harriet

Petition for Termination of Further Proceedings and Discharge of the Personal Representative [Prob. C. 12251; Gov. C. 70657(a)(1)]

DOD: 10/20/11		ERIC SCHLOEN , petitioner, was appointed Special Administrator without bond. Letters will expire 5/13/13.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		<i>Petitioner was appointed Special Administrator for the limited purpose of obtaining Medi-Cal benefits for the decedent to settle medical bills incurred by decedent prior to his death. Petitioner is an agent of hospital where decedent died.</i>	
	Aff.Sub.Wit.		
✓	Verified	<i>I & A - waived per order appointing special administrator.</i>	
	Inventory		
	PTC	Petitioner states he performed all duties necessary as special administrator as he obtained health benefits for the decedent, the estate has no assets and there is no longer a need for a special administrator.	
	Not.Cred.		
✓	Notice of Hrg	Petitioner Prays for an Order: 1) Terminating the administration of the estate and discharging the Special Administrator.	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/28/12
			Updates:
			Recommendation: SUBMITTED
			File 7 - West

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 7/17/12		<p>KATHRYN LOPEZ, daughter, is petitioner and requests appointment as Administrator with bond set at \$150,000.00.</p> <p>Full IAEA - ?</p> <p>Decedent died Intestate.</p> <p>Residence: Del Rey Publication: NEED</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 50,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$100,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$150,000.00</td> </tr> </table> <p>Probate Referee: RICK SMITH</p>	Personal property	-	\$ 50,000.00	Real property	-	\$100,000.00	Total	-	\$150,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A competing Petition for Probate has been filed by Leonard Lopez and Rachel Ben and is set for hearing on 11/6/12.</p> <p>Continued from 8/30/12 as of 10/2/12 the following issue remains:</p> <p>1. Need Affidavit of Publication.</p> <p>Note: If the petition is granted, status hearings will be set for the filing as follows:</p> <ul style="list-style-type: none"> Friday, November 2, 2012 at 9:00 a.m. in Department 303, for the filing of the bond. Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$ 50,000.00									
Real property	-		\$100,000.00									
Total	-		\$150,000.00									
Cont. from 083012												
<input type="checkbox"/>	Aff.Sub.Wit.											
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input type="checkbox"/>	Notice of Hrg											
<input checked="" type="checkbox"/>	Aff.Mail		W/									
<input type="checkbox"/>	Aff.Pub.		X									
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.											
<input type="checkbox"/>	Conf. Screen											
<input checked="" type="checkbox"/>	Letters											
<input checked="" type="checkbox"/>	Duties/Supp											
<input type="checkbox"/>	Objections											
<input type="checkbox"/>	Video Receipt											
<input type="checkbox"/>	CI Report											
<input type="checkbox"/>	9202											
<input checked="" type="checkbox"/>	Order											
<input type="checkbox"/>	Aff. Posting											
<input type="checkbox"/>	Status Rpt											
<input type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation											
<input type="checkbox"/>	FTB Notice											

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 12/18/1988		ADRIANNE WALLACE , daughter, is petitioner. 40 days since DOD. No other proceedings. Decedent died intestate. I & A - \$85,000.00 Petitioner requests Court determination that Decedent's interest in real property located in Fresno County passes to her pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 9/28/12	
			Updates:	
			Recommendation: SUBMITTED	
			File 9 - Miller	

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 7/1/12		WILMA R. ELLIS-JOHNSON, surviving spouse is petitioner and requests appointment as Administrator of the Estate without bond. All heirs waive bond. Full IAEA – o.k. Decedent died intestate. Residence: Fresno Publication: Fresno Business Journal. Estimated value of the estate: Personal property - \$ 20,000.00 Real property - <u>\$468,000.00</u> Total - \$488,000.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> If the petition is granted, status hearings will be set for the filing as follows: <ul style="list-style-type: none"> Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.				
Cont. from							
<input type="checkbox"/>	Aff.Sub.Wit.						
✓	Verified						
<input type="checkbox"/>	Inventory						
<input type="checkbox"/>	PTC						
<input type="checkbox"/>	Not.Cred.						
<input type="checkbox"/>	Notice of Hrg						
✓	Aff.Mail			W/			
✓	Aff.Pub.						
<input type="checkbox"/>	Sp.Ntc.						
<input type="checkbox"/>	Pers.Serv.						
<input type="checkbox"/>	Conf. Screen						
✓	Letters						
✓	Duties/Supp						
<input type="checkbox"/>	Objections						
<input type="checkbox"/>	Video Receipt						
<input type="checkbox"/>	CI Report						
<input type="checkbox"/>	9202						
✓	Order						
<input type="checkbox"/>	Aff. Posting						
<input type="checkbox"/>	Status Rpt						
<input type="checkbox"/>	UCCJEA						
<input type="checkbox"/>	Citation						
<input type="checkbox"/>	FTB Notice						
<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 10/3/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation: SUBMITTED</td> </tr> <tr> <td>File 10 - Johnson</td> </tr> </table>			Reviewed by: KT	Reviewed on: 10/3/12	Updates:	Recommendation: SUBMITTED	File 10 - Johnson
Reviewed by: KT							
Reviewed on: 10/3/12							
Updates:							
Recommendation: SUBMITTED							
File 10 - Johnson							

Petition for Probate of Will and for Letters Testamentary; Authorization to
 Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 4/27/2012		GLADYS AUTRY , named executor without bond, is petitioner. Full IAEA – o.k. Will dated: 10/29/1996 Residence: Fresno Publication: Fresno Business Journal <u>Estimated value of the estate:</u> Personal property - \$ 1,000.00 Real property - \$40,000.00 Total - \$41,000.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: 1. Need name and date of death of deceased spouse pursuant to Local Rule 7.1.1D. <u>Note:</u> If the petition is granted, status hearings will be set for the filing as follows: <ul style="list-style-type: none"> Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT Reviewed on: 10/1/12 Updates: Recommendation: File 11 - Brassart	

Age:			NEEDS/PROBLEMS/COMMENTS:	
DOD:				
Cont. from				OFF CALENDAR. Inventory and appraisal filed on 7/31/12.
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting		Reviewed by: KT	
	Status Rpt		Reviewed on: 10/1/12	
	UCCJEA		Updates:	
	Citation		Recommendation:	
	FTB Notice		File 12 - Orona	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 5/12/2010	RICK GONZALEZ , son, was appointed Administrator with Limited IAEA authority and without bond on 4/26/12.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Inventory and appraisal filed on 10/2/12
	Letters issued on 4/26/12.	
Cont. from	Inventory and appraisal was due 9/26/12.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/1/12
		Updates:
		Recommendation:
		File 13 - Borunda

Age: 7 years		TEMPORARY EXPIRES 10/3/12		NEEDS/PROBLEMS/COMMENTS:	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	W/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

MARIA AMPARO HUERTA, paternal grandmother, is petitioner.

Father: **GERMAN SANCHEZ** – consents and waives notice.

Mother: **ANITA VILLARREAL** – personally served on 8/7/12.

Paternal grandfather: Teofilo Sanchez – served by mail on 8/7/12.

Maternal grandfather: Raul Villarreal – Declaration of Due Diligence filed on 8/9/12.

Maternal grandmother: Sylvia Garza – served by mail on 8/8/12.

Petitioner alleges: The mother has violated her probation and was arrested for domestic violence. Since the parents have separated the parents have been unable to provide stability for the minor. Also, mom's present boyfriend has hit mom in the minor's presence. He has also thrown the minor against the wall in a fit of rage.

Court Investigator Jennifer Daniel's Report filed on 9/26/12.

Minute Order from the hearing on the temporary guardianship states "with respect to visitation, the Court finds that the allegations are sufficient in severity and denies visitation to the mother."

Reviewed by: KT
Reviewed on: 10/1/12
Updates:
Recommendation:
File 14 - Sanchez

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 9 years		<u>THERE IS NO TEMPORARY.</u> <u>No temporary was requested.</u>		NEEDS/PROBLEMS/COMMENTS:	
		JAMES KERN BEEBE , father, and YVETTE RENEE BEEBE , mother, are petitioners.		Please see related case on page 16 of this calendar.	
		Paternal grandparents – deceased.		1. Need Confidential Guardian Screening form for proposed guardians James Beebe and Yvette Beebe.	
		Maternal grandfather: Earl Bradford – consents and waives notice.			
Cont. from		Maternal grandmother: Jeannette Bradford – consents and waives notice.		Note: If the petition is granted, status hearings will be set for the filing as follows:	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	N/A			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen	X			
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	N/A			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA	N/A			
	Citation				
	FTB Notice				
			Estimated value of the estate: \$13,634.00 – to be placed into a blocked account.	<ul style="list-style-type: none"> Friday, November 9, 2012 at 9:00 a.m. in Department 303, for the filing of the receipt for blocked account Friday, March 15, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 13, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. 	
			Petitioners state the minor is a beneficiary of an annuity from his deceased grandmother. A guardianship is necessary to collect the funds.	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
			Probate Referee: Rick Smith		
				Reviewed by: KT	
				Reviewed on: 10/1/12	
				Updates:	
				Recommendation:	
				File 15 - Beebe	

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 8 years		<p><u>THERE IS NO TEMPORARY.</u> <u>No temporary was requested.</u></p> <p>JAMES KERN BEEBE, father, and YVETTE RENEE BEEBE, mother, are petitioners.</p> <p>Paternal grandparents – deceased. Maternal grandfather: Earl Bradford – consents and waives notice. Maternal grandmother: Jeannette Bradford – consents and waives notice.</p> <p>Estimated value of the estate: \$13,634.00 – to be placed into a blocked account.</p> <p>Petitioners state the minor is a beneficiary of an annuity from his deceased grandmother. A guardianship is necessary to collect the funds.</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Please see related case on page 15 of this calendar.</p> <p>2. Need Confidential Guardian Screening form for proposed guardians James Beebe and Yvette Beebe.</p> <p>Note: If the petition is granted, status hearings will be set for the filing as follows:</p> <ul style="list-style-type: none"> Friday, November 9, 2012 at 9:00 a.m. in Department 303, for the filing of the receipt for blocked account Friday, March 15, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 13, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			N/A
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			X
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	N/A		
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA	N/A		
	Citation			
	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/1/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 - Beebe</p>		

Atty Braga, Nancy Lynn (Pro Per – Petitioner – Maternal Grandmother)

Atty Braga, Tony L Jr. (Pro Per – Petitioner – Maternal Step Grandfather)

Petition for Appointment of Temporary Guardianship of the Person

Keely Gibbs Age: 15		NANCY LYNN BRAGA and TONY L. BRAGA JR. , maternal grandmother and maternal step grandfather, are petitioners.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service five (5) Court days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Steven Jeffery Gibbs (Father) • Christina Lynn Gibbs (Mother) • Keely Gibbs (Minor) • Kyle Gibbs (Minor) 3. UCCJEA does not provide the residence of the minor's for the past five years as required.
Kyle Gibbs Age: 13			
		Father: STEVEN JEFFERY GIBBS	
		Mother: CHRISTINA LYNN GIBBS	
Cont. from		Paternal grandfather: Rob Gibbs Paternal grandmother: Pat Gibbs	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT / LV Reviewed on: 10/01/2012 Updates: Recommendation: File 17 - Gibbs

18

1. This petition does not address or request conservator fees. The proposed order indicates \$1,000.00; however, as noted above, this petition refers the Court to previously filed documents without specific reference to which documents. Therefore, need clarification regarding the amount requested for conservator fees.

Note: A status hearing will be set for the filing of the Seventh and Final Accounts pursuant to Probate Code §2620(b) for Friday 1-11-13 (for the period that ended on the date of death and for the period subsequent to the date of death). If the accounts are filed prior to that date, the status hearing will come off calendar.

(1) Petition for Settlement of First and Final Account, (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary and Extraordinary Services (Prob. C. 11640)

DOD: 5-25-07		JANELLE BOWMAN , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 9-26-12</u>
		Accounting: \$175,000.00	
		Beginning POH: \$175,000.00	
		Ending POH: \$18,371.82 (cash)	
Cont. from 092612			
	Aff.Sub.Wit.		
✓	Verified	Executor (Statutory): \$1,060.00	
✓	Inventory		
✓	PTC	Attorney (Statutory): \$1,060.00	
✓	Not.Cred.		
✓	Notice of Hrg	Attorney (Extraordinary): \$4,570.00	
✓	Aff.Mail	for extraordinary services to recover possession of the real property (14.3 hours), and to secure and sell the real property (2.9 hours)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Closing: \$800.00 (reserve for taxes/misc.)	
	Conf. Screen		
✓	Letters	7-20-09	
	Duties/Supp	Attorney Moore's Declaration states unlawful detainer was necessary to remove occupants Beverly Day and Nancy Rozidilla, two of the beneficiaries who had been allowed to continue their residence at the property for more than two years after their mother's death. The declaration states that after the estate recovered possession, the two continued to reside in a van on the property and were believed to have been going in and out of the home through a window, requiring another writ of possession, lockout, and turnover of possession to the estate. Because the personal representative lives out of state, Attorney Moore worked with real estate agents and contractors for the sale and avoided a 6% commission on the sale.	
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 10-1-12
	UCC/JEA		Updates:
	Citation		Recommendation:
✓	FTB Notice	Petitioner requests that such extraordinary fees expended to recover possession of the property from Beverly Day and Nancy Day be charged against their distributable share of the estate, which amount is \$3,772.50 in attorney fees plus \$770.84 in costs, for a total of \$4,543.34. However, since that amount exceeds their shares, Petitioner requests that their shares be abated in their entirety and the distributable balance be distributed among the remaining beneficiaries. Distribution pursuant to Decedent's will, Notice of Lien filed 7-16-12, and request for abatement: Janelle Bowman: \$3,627.27 Laura Lee Flores-Wheeler: \$3,627.27 Eileen Lindsey: \$1,813.64 Shanna Johnston: \$1,813.64, less \$151.65 payable to the Victim Compensation and Government Claims Board	File 19 - Day